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In re application of: DE HAAN, et al.

Appl. No.: 09/787,668

Filed: March 21, 2001

For: Process for Producing Middle Distillates and  
Middle Distillates Produced By That Process

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0264-0001

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the communication of May 15, 2001, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, a Recordation Cover and Assignment, the required fee of \$170 (\$130 surcharge for late filing of Declaration and \$40 recordation fee), and a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office.

Please associate the enclosed documents with the above-identified application.  
06/12/2001 HNGUYEN 00000080 09787668  
01 FC:154 130.00 0P

If there are any other fees due in connection with the filing of this response,  
please charge the fees to our Deposit Account No. 50-0622. If a fee is required for an

extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

SHANKS & HERBERT



Toni-Junell Herbert  
Reg. No. 34,348

Date: 4/8/01

TransPotomac Plaza  
1033 N. Fairfax Street  
Suite 306  
Alexandria, VA 22314  
(703) 683-3600



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC 1  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/797668	COOK	B 0264-0001
INTERNATIONAL APPLICATION NO.		
PCT/ZA99/00096		
SHANKS & HERBERT 1033 N FAIRFAX STREET SUITE 306 ALEXANDRIA, VA 22314	I.A. FILING DATE	PRIORITY DATE
	17 SEP 99	05 OCT 98

DATE MAILED: 15 MAY 2001

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:  A Designated Office (37 CFR 1.494);  An Elected Office (37 CFR 1.495);

- U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7.  The Article 19 amendment(s) are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920  
SHELBY VIGIL, PARALEGAL *S.V.*  
Telephone: 703-305-3653